



Legislative Department Seattle City Council Memorandum

Date: April 25, 2005

To: Councilmember Peter Steinbrueck, Chair
Councilmember Tom Rasmussen, Vice Chair
Councilmember Richard Conlin, Member
Urban Development and Planning Committee

From: Bob Morgan, Central Staff
Rebecca Herzfeld, Central Staff

Subject: **Resolution 30766 Screening of Comprehensive Plan Amendments for 2005 Review** – Item #5 on the UDP Committee agenda for April 27, 2005.

Background

Pursuant to the Council's adopted process, Resolution 30766 sponsored by Councilmember Steinbrueck is intended to determine which proposed Comprehensive Plan amendments are to be given further consideration in this year's annual Comprehensive Plan amendment process. It also provides that amendments for proposed annexation areas be postponed until at least 2006, and that other amendments be considered through the South Downtown planning process.

Central Staff recommends adoption of Resolution 30766 as introduced, with three amendments. We recommend:

- An amendment related to the proposed North Bay overlay to require that consideration of the proposed North Bay Overlay amendment be conditioned upon there being community review and support, as is required with other amendments that would amend neighborhood plan policies. This is addressed in item #2 below;
- A placeholder for amendments arising from review of Downtown Code amendments, addressed in item #7 below; and
- A placeholder for non-substantive amendments addressed in item #8 below.

The attached Table 1 summarizes the provisions of Resolution 30766 for each proposed Comprehensive Plan amendment, and compares the provisions to Executive recommendations.

Information Regarding Selected Amendments

Immediately below, we have provided information regarding selected proposed amendments, where there are known issues, a significant difference from the Executive's recommendation, or other considerations worthy of note.

1. **Inclusion of Amendment Selection Guidelines**

Difference from Executive in Resolution 30677: The resolution includes the guidelines; the Mayor's recommendation does not. However, Executive Staff have no objections to the inclusion of the guidelines.

Comments: The City Council included in the resolution that screened Comprehensive Plan amendments for 2004, the guidelines that the Council has used when deciding which amendments are appropriate to consider. This helps to inform the public of the nature of the Council's screening decisions, and creates a legislative record of the basis for the decisions.

2. **Port of Seattle "North Bay" Overlay Proposal**

Difference from Executive in Resolution 30677: Conditions are added including:

- a. An industrial lands study must be completed by the City's Office of Economic Development and Department of Planning and Development by August 1, or the proposed amendment will be postponed at least until 2006;
- b. The option of redesignating all or part of the North Bay site from manufacturing/industrial center to a mixed-use commercial area is to be considered;
- c. The Port of Seattle shall analyze the future demand for and viability of the North Bay land for industrial uses, describe how the amendment is consistent or inconsistent with City and County-wide policies for manufacturing/industrial centers, and document the public review conducted and public comments on the proposal; and
- d. Any inconsistency with Comprehensive Plan policy, including the BINMIC neighborhood plan goals and policies, must be corrected in the final proposed amendment.

Comments:

Staff recommends amending Resolution 30677 to require that consideration of the proposed North Bay Overlay amendment be conditioned upon there being community review and support, as is required with other amendments that would amend neighborhood plan policies.

The proposed amendment, as conditioned, meets the Council's guidelines for consideration of amendments as described below:

A. *Appropriate for Comp Plan?* The Port of Seattle's proposal meets the guideline of being appropriate for the Comprehensive Plan because the proposed change in permitted uses and growth targets for the BINMIC Manufacturing/Industrial Center would not be possible without a Comprehensive Plan amendment.

B. *Legal?* There do not appear to be legal problems with the proposal, although consistency with GMA and Countywide policies is a question that should be resolved before final action on the proposal.

C. *Practical to Consider?* The Port of Seattle has produced an environmental impact statement consistent with the City Council's condition for considering the amendment stated in Resolution 30662 in 2004. Therefore, one obstacle to consideration of the amendment has been removed.

Also, the City Council, in the amendment screening resolution for 2004 (Resolution 30662), indicated that it would not consider the proposal without first having a City industrial lands analysis, as recommended by the Planning Commission. The proposed screening resolution for 2005, Resolution 30766, reiterates that consideration of the amendment in 2005 is contingent upon timely receipt of the analysis. OED and DPD staff have committed to producing such an analysis by August 1, 2005. The North Bay proposal could impact the expectations of industrial landowners throughout the City, if it is perceived as a response to a single owner's proposal, rather than consistent with the City's long-range industrial lands strategy. Responding to the Port of Seattle's proposal in the context of a City industrial lands analysis would help to reduce the potential for the North Bay proposal being seen as a precedent for other industrial land.

While the proposed amendment may depart from existing policy on manufacturing/industrial centers, the Council has indicated in the 2004 screening resolution a willingness to consider a change in policy, making consideration of the amendment consistent with amendment selection guidelines. Also, the conditions set forth in Resolution 30766 for consideration of the amendment in 2005 require analysis of consistency with policies and correction of any inconsistencies.

Resolution 30766 calls for considering an alternative of removing portions of the North Bay land from the manufacturing/industrial center, instead of an overlay, because such an option may be more consistent with citywide and BINMIC policies for preserving manufacturing/industrial center land for industrial purposes. Again, the potential for an overlay in manufacturing/industrial centers may have citywide effects on industrial landowner expectations that could adversely affect industrial land preservation.

D. *Has there been, or can there be, a neighborhood review process?* The Port of Seattle has conducted public review of its proposal, including issuance of a draft environmental impact statement. Additional review can be conducted this year. Resolution 30677, however, does not clearly state that consideration of the amendment is conditioned upon there being community review and support, as is required with other amendments that would amend neighborhood plan policies. This requirement is consistent with Resolution 30238 which establishes a process and criteria for amending neighborhood plans. This resolution encourages citizens who propose an amendment to a neighborhood plan to undertake public outreach with the affected community and demonstrate community support.

Central Staff Recommendation: Add a new paragraph A5, in Section 2 of Resolution 30677 as follow:

City Council consideration of this proposed amendment is subject to the following conditions:

1. ...
5. Demonstration by the Port of Seattle and/or DPD of community review, and support of the proposal.

3. **Proposal to Extend the Boundary of the Northgate Urban Center**

Difference from Executive in Resolution 30677: The Executive's proposal did not include this amendment. However, Executive Staff indicate that it was unintentionally omitted.

Comments:

The proposal represents a change in the boundary established in the Comprehensive Plan, and has not been analyzed for consistency with Comprehensive Plan policy for urban center size, zoning, density and transportation. However, the City Council called for consideration of this change in Resolution 30730, and it is possible for DPD to conduct sufficient analysis to assess the proposal for this year's amendment process. In other respects, the amendment clearly meets the Council's amendment screening guidelines, in that the proposal requires a Comprehensive Plan amendment, is legal, and includes a condition that there be community review and support, and consistency with Northgate Goals and Policies.

4. **Amendment to Consider Northgate Way Regulatory Changes to Promote Housing and Mixed-use in the Urban Center Core**

Difference from Executive in Resolution 30677: The Executive's proposal did not include this amendment. However, Executive Staff indicate that it was unintentionally omitted.

Comments:

To the extent that the proposed regulatory changes would not be permitted by current Comprehensive Plan policy, including the Northgate Neighborhood Plan Goals and Policies, the recommended regulatory changes would be appropriate as a Comprehensive Plan amendment. Because the proposal is general in nature it cannot be determined at this point whether a Comprehensive Plan amendment would be required. Keeping this amendment on the docket for 2005 allows for a later determination as to whether or not a Comprehensive Plan amendment is required.

In other respects, the amendment clearly meets the Council's amendment screening guidelines: the proposal is legal; the City Council called for consideration of this amendment in Resolution 30730; it is possible for DPD to conduct sufficient analysis to assess the proposal for this year's amendment process; and the amendment includes a condition that there be community review and support, and consistency with Northgate Goals and Policies.

5. **Interbay Hub Urban Village**

Difference from Executive in Resolution 30677: The Executive recommended that the proposed Hub Urban Village at Interbay not be considered.

Comments:

The DPD Director's report concludes that the proposed hub urban village would not meet established criteria for designation of hub urban villages, and we concur with this analysis. This assessment might suggest that the proposal is inconsistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, and, absent Mayoral or Council interest in significantly changing existing policy, not practical to consider according to the screening criteria. However, the proposed hub urban village is in the vicinity of a proposed Monorail station, and therefore a proposal to consider Comprehensive Plan amendments for alternatives to the hub urban village, such as a residential urban village, could be considered.

In other respects, the amendment clearly meets the Council's amendment screening criteria, in that the proposal requires a Comprehensive Plan amendment, is legal, and includes a condition that there be community review and support.

6. **Amendment to Incorporate the "Objective Criteria" for Evaluating Urban Village Designations from Resolution 29232 into the Comprehensive Plan**

Difference from Executive in Resolution 30677: The Executive recommendation does not address this proposal, which was suggested by Central Staff after the Executive recommendation.

Comments:

The proposal to establish a hub urban village at Interbay serves as a reminder that specific criteria for the evaluation of urban village proposals are contained in Resolution 29232, pursuant to a Comprehensive Plan policy. The criteria were originally adopted so that the requests to establish urban villages in many competing areas could be assessed on an objective basis. Because the criteria are contained in a resolution, and not in the Comprehensive Plan, they are not easy to for the public locate. Moving the criteria into the Comprehensive Plan would facilitate their promulgation.

It might be suggested that the criteria are overly specific standards to include in the Comprehensive Plan. However, there is no more appropriate location for the criteria, as they establish City policy for designating urban villages. Also, where appropriate, there are a limited number of other specific standards in the Comprehensive Plan, such as the growth targets.

7. Policy Amendments Associated with Potential Downtown Land Use Code Revisions

Difference from the Executive in Resolution 30677: The Executive recommendation does not address this proposal, which was suggested by Central Staff after the Executive recommendation.

Comments: The Executive Proposal recommends that a placeholder be provided for possible amendments to the Comprehensive Plan that result from proposed changes to the commercial chapter of the Land Use Code. Central staff recommends that a similar placeholder be provided for potential changes to the Downtown Code. Council is scheduled to review the Executive recommendations for changes to the Downtown chapter of the Land Use Code this summer.

Central Staff Recommendation: Add the following new paragraph C in Section 2, and renumber the following paragraphs in Resolution 30677 as follow:

- C. Amendments resulting from the review of potential changes to the Downtown Code.

8. Non-substantive amendments proposed by staff.

Difference from the Executive in Resolution 30677: Neither Resolution 30766, nor the Executive recommendation includes a specific proposal for non-substantive amendments. There is a paragraph (Section 2, paragraph J), in Resolution 30766 that calls for certain specific “minor amendments.”

Comments: Both Executive Staff and Council Central Staff may identify non-substantive “housekeeping” amendments to the Comprehensive Plan prior to the Executive’s recommendations on August 1st. Adding a provision to Section 2, paragraph J of Resolution 30766 would help to notify the public that such amendments might be proposed.

Central Staff Recommendation: Amend paragraph J, Section 2, page 6 of Resolution 30766 as follows:

- J. Other minor amendments:

- Non-substantive, housekeeping amendments recommended by City Staff.

Attachment

Table 1
Summary of Resolution 30766 Provisions and Executive Recommendations
2005 COMPREHENSIVE PLAN AMENDMENTS SCREENING ANALYSIS

Resolution Paragraph/Proposal	Resolution 30766 Provision	Executive Recommendation
Incorporating guidelines that the City Council has used in prior years in deciding whether or not to consider a Comprehensive Plan amendment	Includes guidelines	No guidelines (Executive does not object to including guidelines)
A. Port of Seattle “North Bay” overlay to permit a broader range of uses on certain property north of the Magnolia Bridge (subject to conditions)	Consider in 2005 - add conditions	Consider in 2005
B. Policy amendments associated with potential commercial code revisions (the Neighborhood Business District Strategy)	Consider in 2005	Consider in 2005
C. Amendments to shoreline policies arising from provisions of the Central Waterfront Plan once adopted	Consider in 2005	Consider in 2005
D. South Wallingford Goals and Policies	Consider in 2005	Consider in 2005
E. Proposal to permit consideration of Single-family rezones in the area west of the Rainier Beach Residential Urban Village	Consider in 2005 – add conditions	Consider in 2005
F. Proposal to move the north boundary of the Northgate Urban Center to N and NE 125th Street, the east boundary to 15th Avenue NE and the west boundary to Meridian Avenue N, with conditions	Consider in 2005	Not addressed
G. Amendment to consider regulatory changes in the area of Northgate Way, to encourage greater development of housing and mixed-use commercial development in the urban center core, with conditions	Consider in 2005	Not addressed
H. An amendment to consider establishing a Hub Urban Village in the vicinity of 15th Avenue W and W Dravus Street (Interbay), and alternatives	Consider in 2005 with alternatives and conditions	Do Not Consider
I. An amendment to incorporate the objective criteria for evaluating urban village designations from Resolution 29232 into the Comprehensive Plan	Consider in 2005	Not addressed

Resolution Paragraph/Proposal	Resolution 30766 Provision	Executive Recommendation
J. Minor Amendments including clarifying the relationship of the Transportation Strategic Plan to the Comprehensive Plan, an amendment describing street types and street classifications, and adding language to policy E7 to call for controlling litter, graffiti, junk cars, trash and refuse	Consider in 2005	Consider in 2005
K. Moving the boundary of the Downtown Urban Center to incorporate the Washington Oregon Shippers Cooperative Association (WOSCA) site, at 801 First Avenue South, and the Frye Property at 6th Ave. S., south of Airport Way, and excluding them from the Duwamish Manufacturing/Industrial Center	Consider through South Downtown Planning – require evaluation in light of industrial lands study.	Consider through South Downtown Planning
L. Proposal to permit consideration of rezoning the Goodwill Industries property on Dearborn from industrial to mixed-use commercial	Consider through South Downtown Planning – require evaluation in light of industrial lands study.	Consider through South Downtown Planning
M. Adding the North Highline and West Hill areas as potential annexation areas	Consider in 2006 or later	Consider in 2006 or later